

TOWN & COUNTY ZONING

ZA Report Dated 2-12-13

1-5-13 to 2-8-13

I. Permit Applications Approved and Issued:

<u>Name</u>	<u>Date Received</u>	<u>Date Issued</u>	<u>Type/Address</u>
Craftivity, Inc.	1-2-13(TPC approval)	1-6-13	Land Disturbing Activity 978 Middle Road

(TPC conditionally approved at 1-2-13 meeting and found application compliant with CUP as long as existing wetlands are not negatively affected. DNR will be monitoring wetlands and requiring removal of the sheet piling if there are any wetland impacts. The sheet piling is proposed to divert some of the water from a natural drainage flow from Craftivity property to HRA Investors adjacent property ponds via trenching. Sheet piling not considered 'fill' by DNR)

Erickson, Evan	11-12-12	1-9-12	Fire Number E296 Voyageur
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(currently undeveloped property w/o access. Erickson's furthest lot to the North on the proposed Rice Street Extension. If Rice Street Extension is developed the fire number will likely have to be changed to be numbered off Rice St.)

Certified Survey Maps

<u>Name</u>	<u>TPC approve/deny</u>	<u>TB approve/deny</u>	<u>Address</u>
none			

II. Permit Applications in Progress:

<u>Name</u>	<u>Date Received</u>	<u>Project/ Address</u>
Slater/McCue+	1-20-11	SFD 1268 Big Bay Road

(waiting for shoreland restoration plan per DNR requirements. Per L. Hildebrandt the applicant has two choices, either submit a restoration plan or choose not to disturb the existing buffer – no mow etc. Slater has communicated to L. Hildebrandt that they will make their decision this spring. This permit has been on hold for two years but Larry will be retaining fees and keep the permit active.)

LaDuke, Winona+++	4-28-12 (incomplete)	Land Disturbing Activity, Accessory (x2), Long Term Camping Unit
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(Wetland fill application for access pending DNR/Army Corps approval. I asked Larry Hildebrandt if the County would be returning fees to the owner, something that is often done when there are outstanding permits at the beginning of a new year. The County will keep this permit active and hopefully the project will move forward this summer.)

Hartzell, Robert	Rental of a Principal Dwelling x 7
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7 different properties

(Employee housing. This is a larger discussion regarding rentals and employee housing I need to clarify with the TPC.)

Lutz, Troy/Barbara 1-31-13 Rental of a Principal Dwelling
2865 North Shore Road

Gagnon, Mark 10-14-12 Accessory Structure (deck)
1878 North Shore Road

(CSM to move property line had to be approved and recorded prior to approval of this application otherwise the side setback was not met. CSM approved by Town & County Jan 2013.)

III. Permit Applications Denied/Revoked:

Name	Date Applied	Date Denied	Type/Address
Weiner, Sara	8-2011	2-8-2013	Principal Dwelling 542 Oak Circle

(Denied. Complete Sanitary Reconnect permit never submitted. County returning fees paid. Town to refund fees for the dwelling paid - \$514.50. I can't approve a new dwelling without approved connection to existing holding tanks. Property owner needs to resubmit if the project will move forward.)

IV. Violations

Name	Violation	Order
Ed Kale	TB approved court action 1-8-13. Sent to Fauerbach's office.	

Benjamin Ryder	TB revoked rental permit by Order. Unsure at this time if violation persists or if rentals have ceased. If evidence of a violation presents itself I will request court action from the TB.	
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Craftivity, Inc. aka Madeline Island School of the Arts TB denied request for court action 1-8-13. To be removed from next ZA report.

Kron, Robert	Deck built without permit. TPC interpretation of CUP and permit requirement at 9-20-12 meeting. Certified letter to Kron 9-25 with permit application and appeal application. No application received as of the date of this report. Fees quadrupled. 2 nd letter advising of quadruple fees and possible Orders from the TB for Correction + possible ZA Complaint & revocation of CUP. He emailed to tell me he was submitting the permit. I have not received it yet. Letter to go out requiring quadruple fees within 30 days or I will be requesting TB Orders.	
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Middle Road Literary Arts Society aka Tom's Burned Down Cafe Upon investigation of CR Nelson Complaint per Section 15 it appears violations are present. Addition/structure w/o permit. I'm working on vision triangle issue with Keith.

Bergeon, Susan TPC interpreted the property is in violation of the conditions on the Special Exception Permit. Travel Trailer and vegetation smothering material to be removed by June 1, 2013 per TPC motion 2-6-13. Letter to owner sent 2-7-13.

Bell Street Properties Use of structure as Boarding/Rooming House or Hotel/Motel requires conditional use permit. Property owner notified last summer but has failed to submit application. Letter to owner 1-29-13.

V. Land Use Permit – No Permit Required:

Name	Project/ Address
None	

VI. Correspondences: Letters/MEMO to

Name	Date	Re
Gazette	1-6	Comp Plan Revision Project
MEMO-All Committees	1-6	Comp Plan Revision Project
MEMO-TPC	1-23	Bergeon Special Exception
Fauerbach	1-25	Kale court action
MEMO-TB	1-28	Vehicle purchase
Bell St Properties	1-29	Boarding/Rooming House use w/o permit
MEMO-TPC	2-5	Comp Plan data – population & housing
MEMO-TPC	2-5	Weddings and rentals
Gokey	2-6	What is the nature of your construction project at 515 Old Fort Rd
Bergeon	2-7	Your property is in violation of Special exception conditions per TPC – correct by 6-1-13

VII. Complaints

Name	Date	Regarding
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Nelson, Charles R.		Ongoing. Middle Road Literary Arts Society dba Tom's Burned Down Café – vision triangle etc. I met with Charles Nelson on 1-31 regarding status of Complaint and will continue to follow-up. Tom Nelson had removed the large sign that was discussed in the Complaint. I am drafting a letter to MRLAS as soon as I have a better understanding of the vision triangle from Keith. As the Complaint
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alleges the bandstand structure was added w/o a permit and the owner will be notified a permit with double fees is required. Unsure at this time if the structure meets setbacks.

Souceck, Suellen

Initially I received a call from Suellen on 12-31-12 regarding her concerns. A written Complaint was submitted on 2-6-13 regarding Gene Nelson property at 197 Big Bay Road. Complaint expresses safety concern for children and animals due to openings and drop to basement and asks if permits have been obtained for recent construction activity. I am drafting a letter to Mr. Nelson notifying him of the Complaint and asking the status. Will forward response to TPC for their interpretation.

X. New Business

The Madeline Island Museum will be razing the dwelling between the Museum and the building known as the Old La Pointe Inn. Red Eldred filed paperwork with me for documentation but as I understand the State is not required to obtain permits from the Town or pay fees for their projects. Please let me know if this is incorrect. Red is working with James Price since the Town adopted a Raze Building Ordinance for Mr. Price to administer. It is Red's intention to have a live burn for fire dept training if possible.

XI. Old Business

The TPC began reviewing language in Section 10 BOA at the last meeting. Drafting will likely be finished at the next meeting. I am putting on a couple other possible text changes that may be needed – clarification about greenhouses/minor accessory structures, and a typo I came across that needs to be corrected because it effects enforcement.

I am a bit overwhelmed by the Comprehensive Plan Revision Project and am at a juncture where I would like to begin a discussion about which direction the project is headed. It is very different than the Zoning Ordinance Revision Project where the TPC could just dive in because we had lists of text changes, other Ordinance, and General Code as guidance. The Comp Plan requires a significant amount of data research, collection, and numbers worked to even begin to look at what amendments the Town needs to or wants to make.

The project could head in one of two directions at this point:

- **A complete revision of the Plan**
- **Minor amendments to the existing Plan**

After Margaretta's research into CAPP's work and my Census data research it appears the population projection in the Town's Plan is overestimate by a fairly significant

amount. The Comp Plan projects a resident population of 325 in 2010 while actual Census data shows a resident population in 2010 of 261. If the actual population of 261 is carried out to the end of the Plan at the growth rate projected by the Plan the Island would end up with a total resident population in 2025 of approx 373 people as opposed to the projected 496.

The Comp Plan projection for occupied households in 2010 is 173. The 2010 Census reports 138. Total housing units including full time & seasonal is projected to be 939 in the Plan when it was actually 866 in 2010. The number of people per household has dropped from 1.96 in the 2000 census to 1.89 in the 2010 census. The Plan projects 1.8 people per household by 2025. We're almost there now (partially due to fewer families).

According to the 2010 census the median age in La Pointe is 49.5. 20.7% of the population is 62 years or older. 13% of the population is 15 years or younger.

Are discrepancies in forecasts and existing conditions enough to re-examine the Town's vision and revise the Plan? Is it enough for a "revisioning"?

In the back of the Plan is a procedure for amendments. It's nominally different that a Zoning text change. More people are notified about the public hearing and decisions but there is very little public involvement in the drafting process. Are amendments to the Plan adequate at this time?

Perhaps it is important to decide first: **How will the Town use this Plan?** Is it the desire of the Town to have specific guidelines by which to make decisions? Will it determine specific actions at specific times? Or will it be used as a general guide to be referenced occasionally for grants and CUPs?

Once I receive guidance from the TB and TPC on which direction to take I am going to ask that the TPC draft a Comp Plan Revision/Amendment Process – a Communication and Public Involvement Plan. Bayfield County Revised their Comp Plan in 2010 and the process wasn't different than the adoption of the original Plan. It was a 2 year process with visioning sessions, stakeholder interviews etc. The Revision is a separate document called "Imagine Bayfield" – they did not simply make amendments to the original Plan partially because Bayfield County wanted to include more information about sustainability, large tract fragmentation etc that effected the Plan as a whole. It's available online (299 pages).

Dave Thomas has discussed "backcasting" at the TPC meetings. "Backcasting" is defined in Wikipedia as *"Backcasting starts with defining a desirable future and then works backwards to identify policies and programs that will connect the future to the present.[1] The fundamental question of backcasting asks: 'if we want to attain a certain goal, what actions must be taken to get there?'"[2][3]Forecasting is the process of predicting the future based on current trend analysis. Backcasting approaches the challenge of discussing the future from the opposite direction.*

“a method in which the future desired conditions are envisioned and steps are then defined to attain those conditions, rather than taking steps that are merely a continuation of present methods extrapolated into the future” This is something to consider if the Town will be revising the whole Plan.

I expressed some concerns to the TPC at their last meeting and reviewing the TPC budget. Just to be candid, this is not my area of expertise so it takes me a bit longer to arrive at answers since I have to research how to get there first. A revision could easily take up half of my time. The TPC agreed it would be a good idea to see how much a professional planner for the project might cost. I have \$1,000.00 in my planning acct, I am under budget on my computer purchase by approx. \$400 and could easily be under budget on my vehicle purchase. At the TPC meeting Dave Thomas volunteered to help me with the project. Would the Town Board like me to use volunteer resources? Before I contact a planner or agency, of course I will have to know if we are just working on amendments or a revision because it will effect cost estimates.

Attached to this report for the TB and staff is a 2-5-13 MEMO I gave to the TPC with some preliminary numbers using the 2010 census data. It's more of a worksheet so **if anyone finds errors please feel free to tell me it needs corrections.**

+ indicates a County permit has been or needs to be issued for the project

Memorandum

To: TPC
From: Jen Croonborg-Murphy; Zoning Administrator
Re: Comp Plan Review
Date: 2-5-13

Margaretta has been researching CAPP's work and process and I have been working on statistics and census data. You have a memo from Margaretta summarizing her findings. Thank you for your work, Margaretta!

POPULATION

Every decade the US Census Bureau puts out thorough reports. It appears the 2000 Census was used to create the Comp Plan as well as a 2004 WI Dept of Administration estimates (projections).

In the 2000 Census, the population of La Pointe was 246 people. Working the numbers, I think the population of 283 for 2005 (on pg 4-2 of the Plan) was arrived at by taking the 2004 WI Dept of Administration estimate of 275 and increasing that by 2.4% (this is the

selected growth rate in the comprehensive plan). That's the closest I can come to finding the equation for the starting number.

Having the benefit of new 2010 Census data we can identify whether that projected growth rate is accurate. The 2010 Census has a population for La Pointe of 261. This is an additional 15 people, or a 6.9% increase. Averaging an additional 1.5 persons per year the annual growth rate is approximately .6%.

I'm not suggesting the TPC change the future growth rate to reflect the past growth rate but I do think we should begin at an accurate starting point. If the 2010 total resident population was changed to the actual 261 and the projected 2.4% growth rate was used the population in 2025 would be 373 as opposed to 496. It's a difference of 123 people.

On page 2-4 the Comp Plan states: "...annual average growth rate of 2.4% was selected and is used throughout this Plan. This rate is consistent with the town's long term vision and is a realistic assessment. It was fashioned around creating a year-round population of 500 residents." The TPC should discuss this statement and whether it is still accurate and if not, how and why it will change.

HOUSEHOLDS

It's important to note that when I report the number of new dwellings to the Census Bureau every January there is not a way to decipher between accessory dwellings (guest houses) and principal dwellings. All are reported as new dwellings. So, while the Census Bureau has a number of households for the Town it is impossible to ascertain how many of those are guest houses. Many guest houses were built before zoning and do not have permits so a count by my records will not be accurate. Also, the Census Bureau asks for permits issued – this does not mean the units were actually built.

Since the Recession began census numbers in Ashland County and the Town mimic the country's sharp decline of new housing units. A decline is evident before the Recession – in 2005 – when the Town began enforcing UDC (state mandate).

The 2010 Census shows 138 total households. Divided by the total population there is an approximate average of 1.89 persons per household.

The 2010 Census shows there are a total of 866 housing units. 138 are occupied (households), 728 are vacant (708 of the 'vacant' units are seasonal, recreational, or occasional use). 81.8% of all housing units in La Pointe are reported as seasonal, recreational, or occasional use.

For comparison, the total number of housing units in Ashland County is 9,656 (2010 Census). Seasonal, recreational, or occasional use of those households is at 2,284 for the County or 23.7%. This includes La Pointe's 708 seasonal housing units.

With these numbers in mind, please look at Table 4-3 on pg 4-3. It was projected that in 2010 there would be 173 full-time households. Again, Census shows 138. It also projects 939 total housing units for 2010. Census shows 866.

Actual number of housing units added from 2006-2010 is 37 (Census Building Permit data). It is projected in table 4-3 there would be 127 housing units added within that time period.

HOW TO AMEND THE PLAN TO REFLECT 2010 ACTUALS ???

I'm looking into how other municipalities did it. I started with "Imagine Bayfield - Bayfield County Comprehensive Plan Update 2010". So far it appears they created an entirely new document. I will be looking into this much more in depth.